

Application No.: 10/696,180
Amendment dated: April 30, 2012
Reply to Office Action of: January 31, 2012

REMARKS/ARGUMENTS

This is a full and timely response to the Office Action dated January 31, 2012 and subsequent Advisory Action issued June 1, 2012. Applicants note with appreciation the Examiner's thorough examination of the application as evidenced by the Office Action and Advisory Action. Applicants respectfully submit that the pending claims in this application are patentable over the cited art and respectfully request reconsideration and allowance of the pending claims in light of the amendments above and the following remarks.

Claim Rejections – 35 USC §103

Independent Claim 1

The Office Action and subsequent Advisory Action indicate that Claim 1 stands rejected as being unpatentable over U.S. Patent 6,344,796 to Ogilvie et al. ("*Ogilvie*") in view of U.S. Published Patent Application 2002/0130065 to Bloom ("*Bloom*") in further view of U.S. Published Patent Application 2003/0037009 to Tobin et al. ("*Tobin*") and U.S. Patent 6,976,090 of Ben-Shaul et al. ("*Ben-Shaul*"). The Applicants respectfully submit that *Ogilvie*, *Bloom*, *Tobin*, and *Ben-Shaul* fail to disclose or suggest all of the features recited in amended Claim 1, alone or in combination.

1. Prior Art does not disclose "providing an ADL... via a web browser enhancement tool" as recited in Claim 1

The Applicants respectfully submit that *Ogilvie*, *Bloom*, *Tobin*, and *Ben-Shaul* fail to disclose or suggest the concept of "providing the ADL to the vender computer system to use as the shipping location for the product purchased by the customer via the web browser enhancement tool automatically populating form fields of a vendor web page to provide the ADL address for upload to the vendor computer system and deducting the fee from the digital wallet," as recited in Claim 1. The Office Action concedes that *Ogilvie* does not disclose this concept and asserts that *Bloom* cures this deficiency. The Applicants respectfully disagree.

Application No.: 10/696,180
Amendment dated: April 30, 2012
Reply to Office Action of: January 31, 2012

As explained in the Reply filed April 30, 2012, the *Bloom* system maintains an ePD Billing & Maintenance application that generally collects and maintains data related to customers, recipients, retailers, customer distribution centers (CDCs), regional distribution centers (RDCs) and shippers for use in the shipping operations of all shippers. The *Bloom* system maintains this information centrally (*see* paragraph [0065]). Read-only copies of this information may also be available on the retailers' and shippers' systems to facilitate order processing for customers. Thus, *Bloom* the information relating to a customer's default destination centralized pickup location is retrieved **from the alleged vendor system (i.e. the retailer or shipper)** as opposed to from a web browser enhancement tool that resides in the customer's browser.

The Advisory Action counters that "the Bloom reference is not as limited as applicant suggests." Yet, the citations made in the Advisory Action do not discredit the Applicant's interpretation of *Bloom* and indeed, further support the Applicant's conclusion. Paragraph [0066] states that "the ePD Shipping Application can run on a **retailer** workstation or server computer." Paragraph [0062] generally discusses the types of information that may be gathered to set up an account but there is no mention of where the data may be retrieved from. As noted in the Advisory Action, a different instance of the ePD Shipping Application can be run by each retailer and shipper. *See e.g., Bloom*, Paragraph [0065]. In each instance cited in the Advisory Action and the Office Action, the customer information is retrieved from the alleged vendor system (i.e. the retailer or shipper). *Bloom* defines the shipper as the entity that provides the ePD delivery service. *See e.g., Bloom*, Paragraph [0060].

Contrary to arguments set forth in the Office Action and the subsequent Advisory Action, *Bloom* (and the other cited references) does not disclose or suggest the concept of "providing the ADL to the vendor computer system to use as the shipping location for the product purchased by the customer **via the web browser enhancement tool** automatically populating form fields of a vendor web page to provide the ADL address for upload to the vendor computer system and deducting the fee from the digital wallet" where the "web browser enhancement tool [] resides in the customer's browser."

For at least the reasons identified above, the Applicants respectfully submit that the cited references do not disclose or suggest each of the features recited in Claim 1. Accordingly, the Applicants respectfully request the Examiner to withdraw this rejection.

2. Prior Art does not disclose “retrieving the ADL from the web browser enhancement tool ... in response to receiving notification that the customer has purchased the product” as recited in Claim 1

The Applicants respectfully submit that *Ogilvie*, *Bloom*, *Tobin*, and *Ben-Shaul* fail to disclose or suggest the concept of “retrieving the ADL from the web browser enhancement tool for use in shipping the product to the customer in response to receiving notification that the customer has purchased the product,” as recite in Claim 1. The Office Action concedes that *Ogilvie* does not disclose this concept and asserts that *Bloom* cures this deficiency. More particularly, the Office Action argues that the described “ePackage Depot” (“ePD”) system teaches the above concept. The Applicants respectfully disagree.

Bloom generally discloses a system for bulk package delivery. The operation of the ePD system is described in paragraph [0061], which is reproduced below.

[0061] *Customers who choose the ePD delivery option can enter their ePD customer identification number (Customer Id) and choose the CDC identifier (CDC Id) of a CDC 1190-1 where they want to pick-up their order. Customers who have used the ePD option in the past can be optionally shown (on a web page or be told over the phone) a default destination centralized pickup location (CDC) 1190-1--one that the customer previously provided as a preference or the last CDC 1190-1 they selected if they have not provided a preference. At this point a customer can select the default CDC 1190-1, input a different CDC Id or search for a different suitable CDC 1190-1 by providing appropriate search criteria including, but not limited to a zip code, a city name or a*

Application No.: 10/696,180
Amendment dated: April 30, 2012
Reply to Office Action of: January 31, 2012

street name. Upon entering the appropriate search criteria, a customer can receive a listing of the nearby CDC locations 1190-1, for example, through a web page or over the phone. As an illustrative example, the listing can have the top five closest CDC locations 1190-1 to the search criteria. CDC's 1190-1 returned from a search can be listed in order from closest to farthest. If city is entered, a complete listing of CDC locations 1190-1 within or near the metro area of the entered city can be given including the full address of those CDC locations 1190-1.

(Emphasis added).

As can be seen from the cited section above, *Bloom* teaches that a user enters their ePD customer identification number (Customer ID) and **in response to entering the Customer ID,** the *Bloom* system retrieves a list of possible locations that the user can retrieve an order. It is also noted that a user could be presented a default destination centralized pickup location if they had interacted with the system previously. It appears that the customer identification number is necessary to retrieve the user's account and related customer distribution center options. Thus, the *Bloom* system does not teach "retrieving the ADL from the web browser enhancement tool for use in shipping the product to the customer **in response to receiving notification that the customer has purchased the product.**" Rather, the Bloom system may provide a default location in response to (a) choosing the ePD delivery option and (2) entering a customer ID. Thus, *Bloom* does not disclose the concept of "retrieving the ADL from the web browser enhancement tool for use in shipping the product to the customer in response to receiving notification that the customer has purchased the product."

Application No.: 10/696,180
Amendment dated: April 30, 2012
Reply to Office Action of: January 31, 2012

Dependent Claims

The patentability of the independent claim has been argued as set forth above and thus the Applicants will not take this opportunity to argue the merits of the rejection with regard to the dependent claims. However, the Applicants do not concede that the dependent claims are not independently patentable and reserve the right to argue the patentability of the dependent claims at a later date if necessary.

Conclusion

The foregoing is submitted as a full and complete response to the Office Action mailed January 31, 2012 and subsequent Advisory Action. The foregoing amendments to the claims, when taken in conjunction with the appended remarks, are believed to have placed the present application in condition for allowance, and such action is respectfully requested.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefor (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

/Jeffrey A. Cooper/

Jeffrey A. Cooper
Registration No. 54,747

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Atlanta Office (404) 881-7000
Fax Atlanta Office (404) 881-7777

Application No.: 10/696,180
Amendment dated: April 30, 2012
Reply to Office Action of: January 31, 2012

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON July 24, 2012.